

July 25, 2013

KOHLER.

California Energy Commission

**DOCKETED
12-AAER-2C**

TN 71712

JUL 25 2013

Mr. Tuan Ngo
California Energy Commission
Appliances & Process Energy Office
Efficiency & Renewable Energy Division

SUBJECT: CEC Docket 12-AAER-2C – Kohler Company Comments Related to Appliance Efficiency Standards and Measures for California Energy Commission’s Invitation to Submit Proposals.

Mr. Ngo –

Kohler Company appreciates the opportunity to actively participate in the California Energy Commission’s Appliance Energy Efficiency Rulemaking Process for Faucet, Toilet, and Urinal Standards. We value the Commission’s diligence to detail in the information they have requested, however in some instances we do not have the information that has been requested, while in other instances the information that the Commission has requested is of great proprietary value that we choose not to share with the industry. Below you will find our proposals, adoption of which we believe places a focus on the efficiency of plumbing fixtures and fittings.

Product Descriptions and Classes

Plumbing Fixture – A device that receives water, waste matter, or both and directs these substances into a drainage system.

Water closet (toilet) – a fixture with a water-containing receptor that receives liquid and solid body waste and on actuation conveys the waste through an exposed integral trap into a drainage system. This fixture may operate as a single-flush device which flushes a full volume of water; or a dual-flush device which incorporates a feature that allows the user to flush the water closet with either a reduced or full volume of water.

Urinal – a fixture that receives only liquid body waste and conveys the waste through a trap into a drainage system.

Plumbing Fitting – A device that controls and guides the flow of water.

Showerhead – An accessory to a supply fitting for spraying water onto a bather, typically from an overhead position, however may include a hand held showering device.

Lavatory faucet – A supply fitting with one or more inlets which delivers water through a single spout, unless diverted to a secondary outlet, intended for discharge into a lavatory sink.

Kitchen faucet – A supply fitting with one or more inlets which delivers water through a single spout, unless diverted to a secondary outlet, intended for discharge into a kitchen sink.

Proposals

Proposal for Water Closets – In an effort to maintain standardized regulations within the State, Kohler Company proposes that the Commission adopt the requirements for water closets that are found in California AB 715. This bill mimics the requirements set forth by the US EPA’s voluntary WaterSense program, and requires that all water closets sold or installed in California on and after January 1, 2014 be high-efficiency water closets. The bill defines a high-efficiency water closets to be either a single flush water closet where the effective flush volume shall not exceed 1.28 gallons; or a dual flush water closet with an effective flush volume that does not exceed 1.28 gallons, where effective flush volume is defined as the composite, average flush volume of two reduced flushed and one full flush. Limiting water closets to 1.28 GPF, represents a 20% reduction in water consumption over the current California regulations. Kohler Company would propose that this requirement goes into effect concurrent to AB 715. Testing shall be performed by a CEC accredited laboratory in accordance to the latest version of ASME A112.19.2/CSA B45.1 or ASME A112.19.14, as applicable.

Proposal for Urinals – In an effort to maintain standardized regulations within the State, Kohler Company proposes that the Commission adopt the requirements for urinals that are found in California AB 715. This bill mimics the requirements set forth by the US EPA’s voluntary WaterSense program and requires that all urinals, other than blow-out urinals, sold or installed in California on and after January 1, 2014 be high-efficiency urinals. The bill defines a high-efficiency urinal to be a urinal that uses no more that 0.5 GPF. Limiting urinals to 0.5 GPF represents a 50% reduction in water consumption over the current California regulation. Kohler Company would propose that this requirement goes into effect concurrent to AB 715. Testing shall be performed by a CEC accredited laboratory in accordance to the latest version of ASME A112.19.2/CSA B45.1.

Proposal for Shower Heads – In an effort to maintain standardized regulations within the State, Kohler Company proposes that the Commission adopt the requirements for shower heads that are found in the California Green Building Standards Code. This code mimics the requirements set forth by the US EPA’s voluntary WaterSense program, and mandates that shower heads use no more than 2.0 GPM, which represents a 20% reduction in water consumption over the current California regulation. Kohler Company would propose that this requirement goes into effect beginning January 1, 2014, with a one year grace period to allow manufacturers to reduce the amount of saleable inventory they may have in the State. All shower heads sold or installed in California on and after January 1, 2015 must meet the requirements that are found in the 2013 California Green Building Standards Code, Title 24 Part 11. Testing shall be performed by a CEC accredited laboratory in accordance to the latest version of ASME A112.18.1/CSA B125.1.

Proposal for Lavatory Faucets – In an effort to maintain standardized regulations within the State, Kohler Company proposes that the Commission adopt the requirements for residential, public use, and metering lavatory faucets that are found in the 2013 California Green Building Standards Code, Title 24 Part 11. This code mandates that residential lavatory faucets are limited to 1.5 GPM, public use lavatory faucets are limited to 0.5 GPM, and metering faucets are limited to 0.2 gallons per cycle – all of which are significant reductions over the current federal regulations. Kohler Company would propose that this requirement goes into effect beginning January 1, 2014, with a one year grace period to allow manufacturers to reduce the amount of saleable inventory they may have in the State. All lavatory

faucets sold or installed in California on and after January 1, 2015 must meet the requirements that are found in the 2013 California Green Building Standards Code, Title 24 Part 11. Testing shall be performed by a CEC accredited laboratory in accordance to the latest version of ASME A112.18.1/CSA B125.1.

Proposal for Kitchen Faucets – In an effort to maintain standardized regulations within the State, Kohler Company proposes that the Commission adopt the requirements for kitchen faucets that are found in the 2013 California Green Building Standards Code, Title 24 Part 11. This code mandates that kitchen faucets use 1.8 GPM with a temporary allowance of 2.2 GPM. This reflects a 20% reduction in water consumption over the current California regulations. Because this change will require extensive redesign of our products, Kohler Company would propose that this requirement goes into effect beginning January 1, 2015, with a one year grace period to allow manufacturers to reduce the amount of saleable inventory they may have in the State. All kitchen faucets sold or installed in California on and after January 1, 2016 must meet the requirements that are found in the California Green Building Standards Code. Testing shall be performed by a CEC accredited laboratory in accordance to the latest version of ASME A112.18.1/CSA B125.1.

General Comments

It is evident from our proposals that we recognize others in California have worked hard to focus on creating regulations which place an emphasis on water conservation. As a manufacturer, it is Kohler Company's goal to be able to offer our products in as many markets as possible. Our concern if CEC creates new regulations, these regulations will be in direct competition with those which have already been adopted using ANSI national consensus standards. Not only do these regulations make it more difficult to manufacture a product which meets the standards the market has come to expect, they also create economic hardships on manufacturers by requiring more research and development, slowing the certification process, and thus slowing the time it take us to bring a new product to market. Further, no research has been done that proves reducing water consumption below the levels stated above will provide adequate performance of these products. As such, Kohler Company encourages CEC to adopt the provisions set forth by the State Legislature and the California Building Standards Commission as indicated above.

Respectfully Submitted,



Shabbir Rawalpindiwala
Manager, Codes & Standards

SR/tk

CC: Plumbing Manufacturers International